

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Public Works	(2) MEETING DATE 2/7/2012	(3) CONTACT/PHONE Pete Newel, Resident Engineer (805) 781-5281	
(4) SUBJECT Submittal of a resolution authorizing execution of Notice of Completion and Acceptance for the Ferrasci Road Fish Passage at Santa Rosa Creek, Cambria, CA, Contract No. 300428.			
(5) RECOMMENDED ACTION It is our recommendation that your Honorable Board adopt the attached resolution, which authorizes the execution and acceptance of a notice of completion for the construction of the Santa Rosa Creek at Ferrasci Road Fish Passage Cambria, CA, Contract No. 300428, be adopted.			
(6) FUNDING SOURCE(S) WCB, SLO Comm. Foundation, FCZone3, Road Fund	(7) CURRENT YEAR FINANCIAL IMPACT TOTAL = \$1,355,000.00	(8) ANNUAL FINANCIAL IMPACT N/A	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation (Time Est. _____) <input type="checkbox"/> Hearing (Time Est. _____) <input type="checkbox"/> Board Business			
(11) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A		(12) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: N/A <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A	
(13) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(14) W-9 <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	
(15) LOCATION MAP Attached	(16) BUSINESS IMPACT STATEMENT? No	(17) AGENDA ITEM HISTORY <input type="checkbox"/> N/A Date 11/9/10, C-6; 3/15/11, A-1; 5/17/11, A-10	
(18) ADMINISTRATIVE OFFICE REVIEW <i>Nikki J. Schmidt</i>			
(19) SUPERVISOR DISTRICT(S) District 2 -			

Reference: 12FEB07-C-4

County of San Luis Obispo



TO: Board of Supervisors

FROM: Public Works
Pete Newel, Resident Engineer

VIA: Dave Flynn, Deputy Director of Public Works

DATE: 2/7/2012

SUBJECT: Submittal of a resolution authorizing execution of Notice of Completion and Acceptance for the Ferrasci Road Fish Passage at Santa Rosa Creek, Cambria, CA, Contract No. 300428.

RECOMMENDATION

It is our recommendation that your Honorable Board adopt the attached resolution, which authorizes the execution and acceptance of a Notice of Completion for the construction of the Santa Rosa Creek at Ferrasci Road Fish Passage Cambria, CA, Contract No. 300428, be adopted.

DISCUSSION

On May 17, 2011, your Board awarded the Ferrasci Road Fish Passage project construction contract to Associated Pacific Contractors, Inc. in the amount of \$789,740.00. The project is now complete and it is recommended that your Board adopt the attached Resolution for a Notice of Completion.

Project Background Information

In 2005, the Coastal Conservancy and Greenspace of Cambria approached the County to initiate improvements of an existing fish ladder on Santa Rosa Creek at Ferrasci Road. The current structure was designated by the conservation group as the highest priority barrier in the County that needs to be removed for improving fish habitat. The Coastal Conservancy initiated the design for a replacement structure on Ferrasci Road to remove the fish ladder, and had sought outside funding for the improvement. Public Works Staff worked with the Coastal Conservancy on the design standards needed for the replacement of the road facility under an encroachment permit process. Greenspace of Cambria worked towards securing needed regulatory permits and right of way to construct the improvements. Work to secure the permits and right of way had not been completed by June 2010 and funding commitments obtained by the Coastal Conservancy expired. In addition, due to the nature of such a project, the work is defined as a Public Works project and required a governmental entity to comply with the necessary provisions of the Public Contract Code.

In November of 2010, your Board authorized the submittal of a funding application to the State Wildlife Conservation Board (WCB) to provide the primary funding for this enhancement and to proceed with construction of a project at this location if funding was awarded. At the WCB's

February 24, 2011 meeting, funding was approved in the amount up to \$1.1 million for the construction. This action, along with other local mitigation account funds of \$445,000 previously directed to this project, provided sufficient funding to move to implementation of the work for construction, construction oversight and environmental restoration phases of the project.

OTHER AGENCY INVOLVEMENT/IMPACT

The Coastal Conservancy provided the necessary documents for project development. Greenspace of Cambria obtained some of the regulatory permits for the work. A Local Coastal Permit for the project was reissued in May 2010.

Department of Fish & Game, Corps of Engineers, and Regional Water Quality Control Board were involved in the regulatory permit process for the project.

RWQCB was also involved in designating other local mitigation funds toward the project. They designated \$290,000 toward the project improvements in the fall of 2010. This was addressed through the project implementation agreement with the San Luis Obispo Community Foundation.

Coast Unified School District was involved in the project under the previously mentioned stormwater fines and also through land acquisition done at the Ferrasci Road site to provide right of way for the new facility.

Flood Control District Zone 3 has also provided funding towards the project for payment of environmental mitigation in connection with the Lopez Dam operation. The mitigation was in the amount of \$155,000 towards the enhancement project, which was acceptable to NMFS.

The Coastal Conservancy also identified a National Oceanic & Atmospheric Administration fisheries funding source under Federal Recovery Act which provided funding for the California Conservation Corps (CCC) to perform environmental restoration on California waterways. Through California Fish & Game, a \$50,000 allocation was provided. Some of these funds were spent exclusively through use of the CCC in conjunction with the final environmental restoration of the site in the fall of 2011.

FINANCIAL CONSIDERATIONS

This project is budgeted in the Roads Budget at \$1,440,412. Now that the project is complete, the total actual project costs are estimated to be \$1,355,000. Funding for this project came from the Wildlife Conservation Board (WCB) Habitat Enhancement Program, the San Luis Obispo Community Foundation (Cambria Mitigation Account), Flood Control Zone 3 (Lopez Mitigation Funds), and the Road Fund.

Please see Exhibit "A" for an estimated cost breakdown for the project.

A final report of actual project costs will be filed with the clerk after any and all claims, disputes and adjustments have been resolved. We do not anticipate the final project cost to differ materially from the current estimated total. Five percent (5%) of total contractor payments are held by the County and released only after meeting the legal holding period after the Notice of Completion is filed.

RESULTS

By taking the recommended action, your Board will cause the legal Notice of Completion for this construction contract to be recorded, and start the period of time during which liens can be filed by subcontractors against the prime contractor.

c: Dave O'Halloran, Construction Engineer

File: Contract No. 300428

Reference: 12FEB07-C-4

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ATTACHMENTS

1. Vicinity Map
2. Exhibit A - Estimated Costs
3. Resolution
4. Notice of Completion